



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/774,028

Filing Date

February 6, 2004

First Named Inventor

Kan Frankie Fan et al.

Art Unit

2456

Examiner Name

Kevin S. Mai

Attorney Docket Number

14329US02

**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form  
(1 page, in duplicate)☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure  
Statement☐ Certified Copy of Priority  
Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts under  
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence  
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to  
TC☐ Appeal Communication to Board  
of Appeals and Interferences☒ Appeal Communication to TC  
(Notice of Appeal-1 page, in duplicate)☐ Proprietary Information☐ Status Letter☒ Return-Receipt Postcard☐ Other Enclosure(s) (please identify  
below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

McAndrews Held &amp; Malloy, Ltd.

Signature

/Michael T. Cruz/

Printed Name

Michael T. Cruz, Reg. No. 44,636

Date

January 16, 2009

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 16, 2009.

Name (Print/type)

Michael T. Cruz

Registration No. (Attorney/Agent)

44,636

Signature

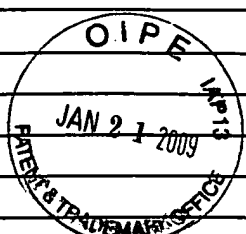
/Michael T. Cruz/

Date

January 16, 2009

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<p><b>Effective on 09/30/2007</b> Fees pursuant to the consolidated Appropriates Act, 2005 (H.R. 4818).</p> <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2008</h2>		<b>Complete if Known</b>	
		Application Number	10/774,028
		Filing Date	February 6, 2004
		First Named Inventor	Kan Frankie Fan et al.
		Examiner Name	Kevin S. Mai
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2456
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 540		Attorney Docket No.	14329US02



**METHOD OF PAYMENT** (check all that apply)

☐ Check 
 ☐ Credit Card 
 ☐ Money Order 
 ☐ None 
 ☐ Other (please identify): \_\_\_\_\_

☒ **Deposit Account** Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy

For the above-identified deposit account, the Director is hereby authorized to (check all that apply)

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 ☐ Charge Fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fees(s) 
 ☒ Credit any overpayments

under 37 CFR 1.16 and 1.17

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES		
Fee Description	Fee(\$)	Small Entity Fee(\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims	Extra Claims	Fee(\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee	Fee Paid (\$)
-20 or HP	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee(\$)	Fee Paid (\$)			
-3 or HP	x	=				
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee(\$)	Fee Paid(\$)
-100	/50	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

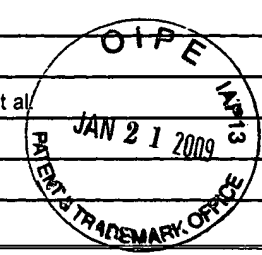
	Fee Paid(\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>Notice of Appeal</u>	\$540

**SUBMITTED BY**

Signature	/Michael T. Cruz/	Registration No. (Attorney/Agent)	44,636	Telephone	(312) 775-8000
Name (print/type)	Michael T. Cruz	Date	January 16, 2009		

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Utility	310	155	510	255	210	105	_____
Design	210	105	100	50	130	65	_____
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HP = highest number of total claims paid for, if greater than 20						
_____ Indep. Claims	_____ Extra Claims	_____ Fee(\$)	_____ Fee Paid (\$)	_____	_____	_____
_____ -3 or HP	_____ x _____	=	_____	_____	_____	_____
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**4. OTHER FEE(S)**

	Fee Paid(\$)
Non-English Specification, \$130 fee (no small entity discount)	_____
Other (e.g., late filing surcharge): <u>Notice of Appeal</u>	<u>\$540</u>

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Name (print/type)	Michael T. Cruz	Date	January 16, 2009		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31 (04-07)

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# NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)  
14329US02

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Signature /Michael T. Cruz/

Typed or printed name Michael T. Cruz

In re Application of  
Kan Frankie Fan et al.

Application Number  
10/774,028

Filed  
February 6, 2004

For SYSTEM AND METHOD FOR TEAMING

Art Unit  
2456

Examiner  
Kevin S. Mai

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$         

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☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-0017. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

**01/21/2009 SSESHE1 00000037 130017 10774028**  
**01 FC:1401 540.00 DA**

/Michael T. Cruz/

☐ applicant/inventor.

Signature

☐ assignee of record of the entire interest.

Michael T. Cruz, Reg. No. 44,636

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

Typed or printed name

☒ attorney or agent of record.

312-775-8000

Registration number 44,636

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34.         

January 16, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of one (1) form is submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31 (04-07)

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THE BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)  
14329US02

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Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]  
on January 16, 2009.

Signature /Michael T. Cruz/Typed or printed  
name Michael T. CruzIn re Application of  
Kan Frankie Fan et al.Application Number  
10/774,028Filed  
February 6, 2004For **SYSTEM AND METHOD FOR TEAMING**Art Unit  
2456Examiner  
Kevin S. MaiApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

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I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
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I am the

/Michael T. Cruz/☐ applicant/inventor.

Signature

☐ assignee of record of the entire interest.Michael T. Cruz, Reg. No. 44,636See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

Typed or printed name

☒ attorney or agent of record.312-775-8000Registration number 44,636.

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.Registration number if acting under 37 CFR 1.34.         January 16, 2009

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